## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Richard S. Stack et al

Application No.: 10/575,222

Filed: April 10, 2006

For: DEVICES AND METHODS FOR

RETAINING A GASTRO-ESOPHAGEAL IMPLANT Confirmation No.: 6928

Group Art Unit: 3731

Examiner: Ryan J. Severson

## INFORMATION DISCLOSURE STATEMENT

353 Sacramento Street, Suite 2200 San Francisco, CA 94111 Telephone: (415) 772-4900 Facsimile: (415) 398-2890

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 CERTIFICATE OF EFS TRANSMISSION

I hereby certify that this correspondence is being transmitted to the US Patent and Trademark Office using the Electronic Filing System on November 15, 2008.

STALLMAN & POLLOCK LLP

Dated: 11/15/2008

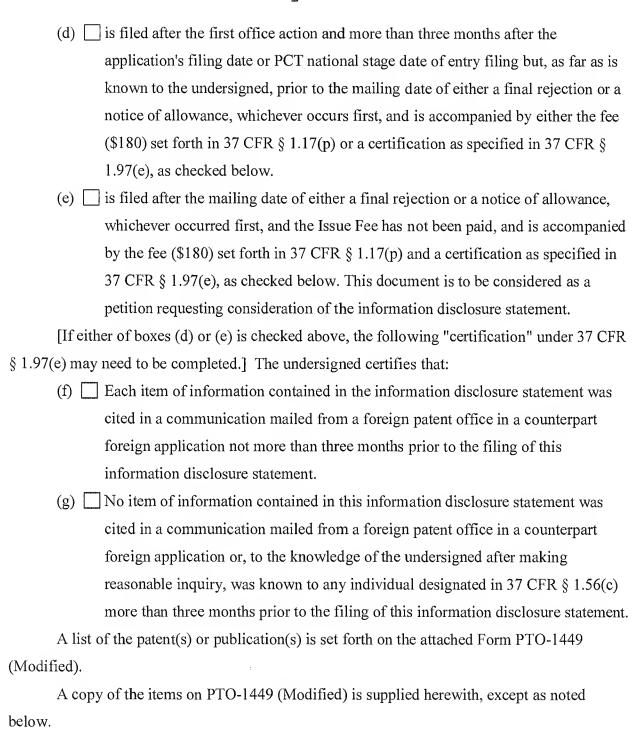
Kathleen A. Frost

Sir:

Applicant(s) submit(s) herewith patents, publications or other information [attached hereto and listed on the attached Form PTO-1449 (modified)] of which they are aware, which they believe(s) may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

This Information Disclosure Statement:

- (a) accompanies the new patent application submitted herewith. 37 CFR § 1.97(a).
- (b) is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491.
- (c) as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits, or before a first office action after filing a Request for Continued Examination under §1.114.



Those patent(s) or publication(s) wh	nich are marked with an	asterisk (*) in the attached
form PTO-1449 (Modified) are not supplied	d because they: (a) are ei	ther U.S. Patents or
published U.S. patent applications; (b) are a	u.S. patent application	, the image of which is stored
in the USPTO's file wrapper (IFW) system;	; or (c) were previously	cited by or submitted to the
Office in a prior application no.	, filed	, and relied upon in
this application for an earlier filing date under 35 U.S.C. § 120.		
A concise explanation of relevance	of the items listed on for	m PTO-1449 (Modified) is:
(h) not given		
(i) given for each listed item		
(j) given for only non-English language listed item(s) [Required]		
(k) is in the form of an English language copy of a Search Report from a foreign		
patent office, issued in a counterpart application, which refers to the relevant		
portions of the references [co	opy attached].	

The Examiner is reminded that a "concise explanation of the relevance" of the submitted items "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP § 609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is hereby authorized to charge our Deposit Account No. 50-1703, under Order No. BARO-720, for any fees required in connection with the filing of this Information Disclosure Statement. A duplicate copy of this Notice is enclosed for this purpose. In particular, in the event that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is authorized to charge the

above-named deposit account for any fees required pursuant to CFR §§ 1.17(p) or 1.17(i)(1).

Respectfully submitted,

STALLMAN & POLLOCK LLP

Dated: November 15, 2008

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